

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		GRANT NUMBER (FAIN): 96820101	DATE OF AWARD 06/16/2015	
			MODIFICATION NUMBER: 0 PROGRAM CODE: EQ		
			TYPE OF ACTION New		MAILING DATE 06/23/2015
			PAYMENT METHOD: ACH		ACH# (b)
RECIPIENT TYPE: Not for Profit			Send Payment Request to: Las Vegas Financial Center- LVFC		
RECIPIENT: Groundwork Denver Incorp. 3050 Champa St. Second Floor Denver, CO 80205-2748 EIN: (b) (6)			PAYEE: Groundwork Denver Incorp. 3050 Champa St. Second Floor Denver, CO 80205-2748		
PROJECT MANAGER Wendy Hawthorne 3050 Champa St. Second Floor Denver, CO 80205-2748 E-Mail: (b) (6) Phone: (b) (6)		EPA PROJECT OFFICER April Nowak 1595 Wynkoop Street, 8ENF-PJ Denver, CO 80202-1129 E-Mail: Nowak@April@epa.gov Phone: 303-312-6528		EPA GRANT SPECIALIST Ryan Kloberdanz REG; 08; OTMS E-Mail: Kloberdanz.Ryan@epamail.epa.gov Phone: 303-312-6078	
PROJECT TITLE AND DESCRIPTION Groundwork Denver Envir. Justice The purpose of this project is to provide resources to low income residents in Denver and Commerce City, Colorado to address climate resiliency specific to public health impacts associated with extreme heat events. This project will develop an action plan to address the public health impacts in low-income Denver communities resulting from extreme heat events caused by climate change. This project plans to build community capacity to address these issues and provide "co-benefits" for residents. Project will help reduce public health impacts associated with climate change, build community capacity to address climate change issues.					
BUDGET PERIOD 09/01/2015 - 08/31/2016		PROJECT PERIOD 09/01/2015 - 08/31/2016		TOTAL BUDGET PERIOD COST \$30,000.00	
				TOTAL PROJECT PERIOD COST \$30,000.00	
NOTICE OF AWARD					
Based on your Application dated 01/09/2015 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$30,000. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$30,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Environmental Protection Agency, Region 8 1595 Wynkoop Street Denver, CO 80202-1129			ORGANIZATION / ADDRESS U.S. EPA, Region 8 Enforcement, Compliance, and Environmental Justice 1595 Wynkoop Street Denver, CO 80202-1129		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Wayne Anthofer -				DATE 06/16/2015	

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 30,000	\$ 30,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 30,000	\$ 30,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.604 - Environmental Justice Small Grants Program for Community Research	Clean Air Act: Sec. 103(b)(3)	2 CFR 200 2 CFR 1500 and 40 CFR 33

[illegible]

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$20,042
2. Fringe Benefits	\$4,295
3. Travel	\$1,119
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$0
7. Construction	\$0
8. Other	\$736
9. Total Direct Charges	\$26,192
10. Indirect Costs: % Base	\$3,808
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$30,000
12. Total Approved Assistance Amount	\$30,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$30,000
15. Total EPA Amount Awarded To Date	\$30,000

Administrative Conditions

A. Allowable Preaward Cost are approved in the amount of \$1,294.

B. General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at : http://www.epa.gov/ogd/tc/general_tc_applicable_aa_recipients_dec_26_2014.pdf. These terms and conditions are in addition to the assurances and certifications made as part of the award and the terms, conditions or restrictions cited throughout the award .

The EPA repository for the general terms and conditions by year can be found at : <http://www.epa.gov/ogd/tc.htm>.

C. In addition to the General Terms and Conditions, all recipients must comply with the Statutory, Regulatory, and Program Guidance (CFDA) requirements listed on the Award Document, Page 2, entitled: "EPA Funding Information."

D. FY12 or later Unpaid Federal Tax Liabilities and Felony Convictions For Non-Profit and For-Profit Organizations

This award is subject to the provisions originally contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, Public Law 112-74, Division E, Title IV, Sections 433 and 434 (sections 433 and 434) regarding unpaid federal tax liabilities and federal felony convictions, which have been continued in subsequent appropriations. Accordingly, by accepting this award the recipient acknowledges that it: (1) is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted (or had an officer or agent acting on its behalf convicted) of a felony criminal conviction under any Federal law within 24 months preceding the award, unless EPA has considered suspension or debarment of the corporation, or such officer or agent, based on these tax liabilities or convictions and determined that such action is not necessary to protect the Government's interests. If the recipient fails to comply with these provisions, EPA will annul this agreement and may recover any funds the recipient has expended in violation of sections 433 and 434.

E. Recipient acknowledges that two employees of this recipient organization must complete the mandatory on-line training, "EPA Grant Management Training for Non-Profit Applicants and Recipients." One person must be the project manager, or equivalent, for this assistance agreement. The other individual must be the person authorized to draw down funds for this assistance agreement. Both employees must complete the training prior to the receipt of any grant funds. The recipient may access the course through the internet at:

http://www.epa.gov/ogd/training/ recip_train.htm

At the end of the course the recipient must sign and return the certificate of completion to the appropriate grants office. EPA will not release funds to the recipient until the required training is completed. Certifications must be maintained throughout the life of the agreement. The training must be completed every three (3) years by both employees and when there are personnel change.

F. If an indirect cost rate proposal has been submitted to the cognizant Federal agency but does not yet have an approved rate, you must submit a copy of the final or provisional Indirect Cost Negotiation Agreement that covers the agreement's budget period to EPA Region 8 Grants Management Office before you may charge indirect costs against this Assistance Agreement. If the negotiated rate does not extend through the life of the Assistance Agreement, additional indirect cost rate proposal(s) must be submitted until the full life of the Assistance Agreement is covered by negotiated indirect cost rates. The recipient **will not charge nor claim for reimbursement any indirect costs that are not covered by a negotiated indirect cost rate**.

G. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES

GENERAL COMPLIANCE, 40 CFR, Part 33

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- (e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- (f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the

recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

Current Fair Share Objective/Goal

The dollar amount of this assistance agreement or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. **The Colorado Department of Public Health and Environment** has negotiated the following, applicable MBE/WBE fair share objectives/goals with EPA as follows:

MBE: CONSTRUCTION 6.1%; SUPPLIES 6.1%; SERVICES 6.1%; EQUIPMENT 6.1%

WBE: CONSTRUCTION 6.6%; SUPPLIES 6.6%; SERVICES 6.6%; EQUIPMENT 6.6%

Negotiating Fair Share Objectives/Goals

In accordance with 40 CFR, Part 33, Subpart D, established goals/objectives remain in effect for three fiscal years unless there are significant changes to the data supporting the fair share objectives. The recipient is required to follow requirements as outlined in 40 CFR Part 33, Subpart D when renegotiating the fair share objectives/goals.

MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E

MBE/WBE reporting is required annually for assistance agreements where there are funds budgeted for procuring construction, equipment, services and supplies, including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category, that exceed the threshold amount of \$150,000, including amendments and/or modifications.

Based on EPA's review of the planned budget, this award does not meet the condition above and is not subject to the reporting requirements of the Disadvantaged Business Enterprise (DBE) Program. However, if during the performance of the award the total of all funds expended for direct procurement by the recipient and procurement under subawards or loans in the "Other" category exceeds \$150,000, annual reports will be required in accordance with the reporting paragraph below and you are required to notify your grant specialist for additional instructions.

The recipient also agrees to request prior approval from EPA for procurements that may activate DBE Program reporting requirements.

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Good Faith Efforts requirements as described in 40 CFR Part 33 Subpart C and Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D and explained below.

REPORTING PROVISION

When required, MBE/WBE reports must be submitted annually. The recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" report (EPA Form 5700-52A) on an annual basis. All procurement actions are reportable, not just that portion which exceeds \$150,000.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30th of each year. Final reports

are due by October 30th or 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on total procurements. Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to Grants Specialist specified on the grant. The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at http://www.epa.gov/osbp/dbe_reporting.htm

Programmatic Conditions

Programmatic Terms and Conditions for EJ Small Grant Region 8:

- 1) A progress report will be due to the EPA Project officer six months after the project period begins. This report should reflect the activity which has occurred in the prior six month period.
- 2) A final report will be due to the EPA project officer within 90 days of the end of the project period.
- 3) A Quality Assurance Project Plan (QAPP) must be submitted and approved by EPA prior to any collection of primary, secondary, or tertiary data. Please submit your QAPP within 90 days of the award of the grant.

Food Policy Terms and conditions: Unless the event(s) and all of its components (i.e., receptions, banquets and other activities that take place after normal business hours) are described in the approved workplan, the recipient agrees to obtain prior approval from EPA for the use of grant funds for light refreshments and/or meals served at meetings, conferences, training workshops, and outreach activities (events). The recipient must send requests for approval to the EPA Project Officer and include:

- (1) An estimated budget and description for the light refreshments, meals, and/or beverages to be served at the event(s);
- (2) A description of the purpose, agenda, location, length and timing for the event.
- (3) An estimated number of participants in the event and a description of their roles.

Recipients may address questions about whether costs for light refreshments, and meals for events are allowable to the recipient's EPA Project Officer. However, the Agency Award Official or Grant Management Officer will make final determinations on allowability. Agency policy prohibits the use of EPA funds for receptions, banquets and similar activities that take place after normal business hours unless the recipient has provided a justification that has been expressly approved by EPA's Award Official or Grants Management Officer.

Note: U.S. General Services Administration regulations define light refreshments for morning, afternoon or evening breaks to include, but not be limited to, coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, or muffins. (41 CFR 301-74.11)